United Nations CAC/COSP/IRG/2018/L.1

Conference of the States Parties to the United Nations Convention against Corruption

Distr.: Limited
6 June 2018

Original: English

Implementation Review Group
Ninth session
Vienna, 4–6 June 2018

Draft report

I. Introduction

1. The Implementation Review Group was established by the Conference of the States Parties to the United Nations Convention against Corruption in its resolution 3/1, entitled "Review mechanism", as an open-ended intergovernmental group of States parties to operate under its authority and report to it. The Group is to have an overview of the review process in order to identify challenges and good practices and to consider technical assistance requirements in order to ensure effective implementation of the Convention.

II. Organization of the meeting

A. Opening of the meeting

2. The Implementation Review Group of the United Nations Convention against Corruption held its ninth session in Vienna from 4 to 6 June 2018, which included two meetings held jointly with the Open-ended Intergovernmental Working Group on Asset Recovery on 6 June.

3. The first to the sixth meetings of the Implementation Review Group were chaired by Vivian N. R. Okeke (Nigeria).

4. In the opening statement, the Secretary of the Conference welcomed Samoa and Equatorial Guinea, which had acceded to the Convention since the resumed eighth session of the Group. He noted that, with 163 executive summaries now finalized, the Group was in the position to continue its deliberations on the outcomes of reviews conducted during the first cycle, drawing on the vast majority of the country reviews, and to discuss information on the reviews conducted during the second cycle. In line with the multi-year work plan for the period 2017–2019, adopted by the Group, the focus of the work of the Group during its ninth session was on the analysis of information on successes, good practices, challenges, observations and technical assistance needs emanating from Chapter V on asset recovery of the Convention. In that connection, several panels had been organized during a joint session with the Working Group on Asset Recovery. Other key issues for the consideration of the Group at its ninth session included the set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of Chapters III (Criminalization and law enforcement) and IV (International cooperation) of the Convention, the good practices, experiences and relevant measures taken after

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the completion of country reviews, as well as synergies with the secretariats of other relevant multilateral mechanisms in particular with regard to implementation of Conference resolution 7/4. The Secretary also noted that the matter of taking measures as may be necessary to permit other States parties to initiate civil action in court to establish title to or ownership acquired through the commission of an offence established in accordance with the Convention had been identified as a topic for more in-depth discussions at the session. Furthermore, the Secretary drew the attention of the Group to the preliminary outcome of the drawing of lots held on 1 June 2018.

5. In his statement on behalf of the Group of African States, the representative of Egypt noted that corruption, illicit financial flows and cross-border financial crimes were impediments to development, economic growth and the achievement of socio-economic wellbeing, particularly in developing countries. The representative emphasized that the fight against corruption was a common and shared responsibility and reiterated the need for the provision of relevant and adequate technical assistance to States, upon request, based on the specific needs of requesting States. Furthermore, the Group welcomed the decision of the African Union to declare 11 July as the African Anti-Corruption Day to mark the adoption of the African Union Convention on Preventing and Combating Corruption. Moreover, the Assembly of the African Union had declared 2018 as the African Anti-Corruption Year. The representative noted that this provided a good starting point for taking stock of the progress made to date and for assessing what remained to be done and for devising new strategies to address new corruption challenges. The representative recalled that Sustainable Development Goal (SDG) 16 focused on substantially reducing corruption and bribery in all its forms and manifestations. The representative also reaffirmed Conference resolution 3/1 and welcomed the ongoing second review cycle, covering Chapters II (Preventive measures) and V (Asset recovery) of the Convention. The representative noted with concern the lack of financial resources to assist States parties, in particular developing countries, to undertake country reviews in the second cycle and called upon donors to make available unearmarked extrabudgetary resources in order to provide the required technical assistance and capacity-building to States parties upon request. The representative underscored the need to preserve the intergovernmental nature of all the subsidiary bodies established by the Conference and, in this regard, welcomed the compromise reached through Conference resolution 4/6.

6. The representative of the European Union made a statement on behalf of the EU and its Member States, in which he noted that corruption posed a threat to democracy, good governance and fair competition, as well as undermined the rule of law and fundamental values. In this regard, he referred to SDG 16 of the 2030 Agenda for Sustainable Development. The representative welcomed the outcome of the new Global Forum on Asset Recovery, held in December 2017, as well as the Initiative to Raise Global Awareness of Foreign Bribery of the Organization for Economic Cooperation and Development (OECD). The representative reaffirmed the commitment of the European Union to the Implementation Review Mechanism and noted that the European Union sought ways to be reviewed. The representative commended the work undertaken during the second review cycle and its focus on preventive measures and asset recovery. Furthermore, the speaker underlined the need to maintain the transparency, inclusiveness and cost-efficiency of the Mechanism, while avoiding unnecessary administrative burdens and the duplication of work. He emphasized the need to further strengthen cooperation and coordination among the secretariats of anti-corruption mechanisms in order to enhance their performance and to meaningfully contribute to the global fight against corruption and the achievement of the relevant Sustainable Development Goals. The efforts undertaken by UNODC to elaborate new measures and technologies to assess risks and levels of corruption were welcomed. The speaker referred to the measures taken by the European Union in countering money-laundering, including in the areas of beneficial ownership and due diligence, improving cooperation between law enforcement authorities and FIUs and among FIUs, and in strengthening whistle-blower protection. The speaker noted that States parties should make optimal use of all available information and expertise,

including from civil society and called for the effective involvement of civil society in the second review cycle.

B. Adoption of the agenda and organization of work

7. On 4 June, the Implementation Review Group adopted the following agenda:

1. Organizational matters:
   (a) Opening of the session;
   (b) Adoption of the agenda and organization of work.
2. Review of implementation of the United Nations Convention against Corruption.
3. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption.
4. Technical assistance.
5. Financial and budgetary matters.
6. Other matters.
7. Provisional agenda for the tenth session of the Implementation Review Group.
8. Adoption of the report of the Implementation Review Group on its ninth session.

C. Attendance

8. The following States parties to the Convention were represented at the meeting of the Implementation Review Group: Albania, Algeria, Angola, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechia, Dominican Republic, Ecuador, Egypt, El Salvador, Eswatini, Ethiopia, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy Japan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritius, Mexico, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Niue, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, State of Palestine, Sudan, Switzerland, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

9. In accordance with Rule 1 of resolution 4/5 entitled "Participation of signatories, non-signatories, entities and intergovernmental organizations in the work of the Implementation Review Group", the Conference decided that States signatories shall be entitled to participate in the Implementation Review Group.

10. In accordance with Rule 2 of resolution 4/5, the Conference decided that intergovernmental organizations, Secretariat units, United Nations bodies, funds and programmes, institutes of the United Nations Crime Prevention and Criminal Justice Programme network, specialized agencies and other organizations of the United Nations system may be invited to participate in the sessions of the Implementation Review Group.

11. The following intergovernmental organizations were represented by observers: Cooperation Council for the Arab States of the Gulf (GCC), Council of Europe's Group of States against Corruption (GRECO), International Anti-Corruption Academy (IACA), International Criminal Police Organization (INTERPOL), Organization for Economic Cooperation and Development (OECD), Organization for Security and Cooperation in Europe (OSCE), Regional Anti-Corruption Academy (RAI).

12. The following Secretariat units, United Nations bodies, funds and programmes, institutes of the United Nations Crime Prevention and Criminal Justice Programme network, specialized agencies and other organizations of the United Nations system were represented by observers: World Bank, World Food Programme.

13. The Sovereign Military Order of Malta, an entity maintaining a permanent observer office at Headquarters, was represented.